

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, DC 20268-0001

Competitive Post Office Box)
Service Enhancements)

Docket No. MC2012-26

PUBLIC REPRESENTATIVE'S MOTION FOR LEAVE TO FILE A SURREPLY TO THE
POSTAL SERVICE OPPOSITION TO MR. DAVID B. POPKIN'S REQUEST FOR A
PRESIDING OFFICER INFORMATION REQUEST

(August 6, 2012)

On July 27, 2012, the Postal Service filed a pleading it titled as a Response to the Public Representative's Motion for Leave.¹ The Postal Service's Response does not respond to or oppose the Public Representative's Motion for Leave.² Rather, the Response addresses the merits of arguments made by the Public Representative with respect to Mr. Popkin's underlying motion.³ Effectively, the Postal Service's Response is a reply to Mr. Popkin's underlying motion.

Therefore, should the Commission treat the Postal Service's Response as a reply on the merits of the Mr. Popkin's underlying request for the issuance of an information request, as its content directs, the Public Representative seeks leave to file a surreply to that underlying Mr. Popkin motion.

¹ Response of the United States Postal Service in Opposition to the Public Representative's Motion for Leave to File a Response, July 27, 2012 (Response).

² See Public Representative Motion for Leave to File a Response to the United States Postal Service Opposition to Mr. David B. Popkin's Request for a Presiding Officer Information Request, July 26, 2012 (Motion for Leave).

³ See Public Representative Response To United States Postal Service Opposition To Mr. David B. Popkin's Request For A Presiding Officer Information Request, July 27, 2012; *see also* David B. Popkin Request for POIR, July 19, 2012.

As discussed in more detail in the Public Representative's Surreply,⁴ the Postal Service's Response raises new arguments that the Postal Service has not made previously. It is in the public's interest for the Commission to have an opportunity to base its decision on a full record with respect to the merits of those arguments.

Respectfully Submitted,

/s/ Robert Sidman

Robert Sidman

Public Representative for
Docket No. MC2012-26

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⁴ Public Representative Surreply to United States Postal Service Opposition to Mr. David B. Popkin's Request for a Presiding Officer Information Request, August 6, 2012 (Surreply).